



**U.S. Department of Justice**

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Eastern District of New York*

RMT/DKK  
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April 17, 2017

By ECF

The Honorable Nicholas G. Garaufis  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Bryant Neal Vinas  
Criminal Docket No. 08-823 (NGG) (S-1)

Dear Judge Garaufis:

The government and defense counsel write at the Court's direction to address the procedures to be used for the status conference scheduled for April 20, 2017.

Because defense counsel has asked to address certain classified filings, the parties respectfully submit that the scheduled status conference should be conducted in two parts. First, during a conference open to the public, the Court will state for the record the bases for conducting a sealed, classified status conference and for concluding that conducting such a conference appropriately "balance[s] competing considerations against" any public right of access and is "essential to preserve higher values." Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110, 120 (2d Cir. 2006); United States v. Aref, 533 F.3d 72, 82 (2d Cir. 2008) (quotation marks omitted). Such bases would include avoiding the inadvertent disclosure of classified information to parties without the requisite security clearances, and protecting the national security of the United States. Second, assuming the Court finds that such a classified conference should occur, the parties will then participate in a sealed, classified status conference with only cleared personnel present in a location approved in advance by the Classified Information Security Officer. The government understands that the Classified Information Security Officer may discuss additional logistics of such a conference with the Court.

